

BEFORE THE
DIVISION OF MEDICAL QUALITY
BOARD OF MEDICAL QUALITY ASSURANCE
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation)
Against:)

AUBREY D. WILLIAMS, M.D.)
209 N. Shore Drive)
Parkville, MO 64151)
Physician's and Surgeon's)
Certificate No. A-029106)

Respondent.)
_____)

No. D-3887

OAH NO. N-32994

DECISION

The attached Proposed Decision of the Administrative Law
Judge is hereby adopted by the Board of Medical Quality
Assurance as its Decision in the
above-entitled matter.

This Decision shall become effective on June 29, 1989.

IT IS SO ORDERED May 30, 1989.

Theresa Claassen

THERESA CLAASSEN
Secretary-Treasurer
Division of Medical Quality

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DEPARTMENT OF CONSUMER AFFAIRS
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Against:)

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PROPOSED DECISION

On March 24, 1989, in Sacramento, California, Karl S. Engeman, Administrative Law Judge, Office of Administrative Hearings, State of California, heard this matter.

Jana L. Tuton, Deputy Attorney General, represented complainant.

Although properly served, respondent did not appear and was not otherwise represented.

Evidence was received, the record was closed and the matter was submitted.

FINDINGS OF FACT

I

Complainant Kenneth Wagstaff, Executive Director of the Board of Medical Quality Assurance of the State of California, made the allegations contained within the Accusation solely in his official capacity.

II

On or about March 21, 1975, respondent Aubrey Williams, M.D. (hereinafter "respondent") was issued physician's and surgeon's certificate number A-029106 under the laws of the State of California. The certificate is presently in current, but retired, status. On January 27, 1983, the license was revoked and the revocation stayed with a ten-year probation. That probation period was tolled on January 16, 1985, when respondent notified the Board that he had moved to Missouri.

III

On or about September 16, 1987, in the Matter of Aubrey Williams, D.O., Missouri License No. 09728 before the Board of Registration for the Healing Arts for the State of Missouri, the board revoked respondent's Missouri license. A true and correct copy of the order of discipline is attached to the Accusation (Exhibit 1) and incorporated by reference as though fully set forth herein. In summary, the Missouri board had earlier placed respondent on probation, one term and condition of which was that respondent prescribe only schedule IV and V controlled substances. In 1986, respondent, in violation of probation, prescribed Dilaudid, a schedule II controlled substance.

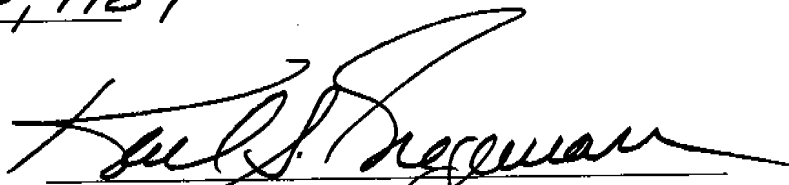
DETERMINATION OF ISSUES

Cause for discipline of respondent's license was established for violation of Business and Professions Code, section 2305, by reason of Finding III.

ORDER

License No. A-029106 issued to respondent Aubrey D. Williams is revoked.

Dated: April 12, 1989


KARL S. ENGEMAN
Administrative Law Judge
Office of Administrative Hearings

1 JOHN K. VAN DE KAMP, Attorney General
2 of the State of California
3 JANA L. TUTON
4 Deputy Attorney General
5 1515 K Street, Suite 511
6 P. O. Box 944255
7 Sacramento, California 94244-2550
8 Telephone: (916) 324-5342

9 Attorneys for Complainant

10 BEFORE THE
11 DIVISION OF MEDICAL QUALITY
12 BOARD OF MEDICAL QUALITY ASSURANCE
13 DEPARTMENT OF CONSUMER AFFAIRS
14 STATE OF CALIFORNIA

15 In the Matter of the Accusation)
16 Against:)

No. D-3887

17 AUBREY D. WILLIAMS, M.D.)
18 209 N. Shore Drive)
19 Parkville, MO 64151)

ACCUSATION

20 Physician's and Surgeon's)
21 Certificate No. A-029106)

22 Respondent.)
23)
24)
25)
26)
27)

28 Kenneth Wagstaff, the complainant herein, alleges as
29 follows:

30 1. He is the Executive Director of the Board of Medical
31 Quality Assurance of the State of California (hereinafter the
32 "Board") and makes these allegations in his official capacity as
33 such and not otherwise.

34 2. On or about March 21, 1975, respondent Aubrey
35 Williams, M.D. (hereinafter "respondent Williams") was issued
36 physician's and surgeon's certificate number A-029106 under the
37 laws of the State of California. Said certificate is presently

1 in current but retired status. On January 27, 1983, this
2 license was revoked and the revocation stayed with a 10 year
3 probation period. That probation period was tolled on January-
4 16, 1985, when respondent notified the Board that he had moved
5 to Missouri.

6 3. Section 2234 of the Business and Professions Code
7 (hereinafter the "Code") provides that the Division of Medical
8 Quality of the Board of Medical Quality Assurance shall take
9 action against a holder of a physician's and surgeon's
10 certificate who is guilty of unprofessional conduct.

11 4. Section 2305 of the Code provides that the
12 revocation, suspension or other discipline by another state of a
13 license or certificate to practice medicine issued by the state
14 to a licensee under this chapter shall constitute grounds for
15 disciplinary action for unprofessional conduct against such
16 licensee in this State.

17 5. Respondent Williams is subject to disciplinary action
18 pursuant to sections 2234 and 2305 of the Code in that his
19 certificate to practice medicine has been disciplined in another
20 state as more particularly alleged hereinafter:

21 A. On or about September 16, 1987, in the Matter of
22 Aubrey Williams, D.O., Missouri License No. 09728 before the
23 Board of Registration for the Healing Arts for the State of
24 Missouri, the board revoked respondent's Missouri license. A
25 true and correct copy of the order of discipline is attached
26 hereto as Exhibit "A" and incorporated herein by reference as
27 though fully set forth at this point.

WHEREFORE, complainant prays that the Division of Medical Quality hold a hearing on the matters alleged herein and following said hearing issue a decision:

1. Suspending or revoking the physician's and surgeon's certificate issued to Aubrey D. Williams, M.D.; and

2. Taking such other and further action as may be proper.

DATED: December 9, 1988

KENNETH WAGSTAFF
Executive Director
Board of Medical Quality Assurance
Department of Consumer Affairs
State of California

Complainant

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EXHIBIT A



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AUG 31 1988

State of Missouri

John Ashcroft, Governor

Department of Economic Development
Division of Professional Registration

Carl M. Koupal, Jr., Director
Tony Feather, Director

State Board of Registration for the Healing Arts
P.O. Box 4
Jefferson City, Missouri 65102
Telephone 314/751-2334

Gary R. Clark, Executive Secretary

CERTIFICATION

I, William T. Morgan, Investigative Coordinator, Missouri State Board of Registration for the Healing Arts, Department of Economic Development, and chief records custodian of same, do hereby certify that the enclosed copies are true and correct copies of the below listed original documents on file with the Missouri State Board of Registration for the Healing Arts, Department of Economic Development, in the case of

Aubrey Williams, D.O.

BOARD SEAL

MISSOURI STATE BOARD OF REGISTRATION
FOR THE HEALING ARTS

BY:

William T. Morgan
Name

Investigative Coordinator

Title

Subscribed and sworn to before me this 25th day of

August, 19 88.

Dianne S. Holts
Notary

My Commission expires:
DIANNE S. HOLTS
NOTARY PUBLIC, STATE OF MISSOURI
COLE COUNTY

MY COMMISSION EXPIRES
MARCH 17, 1992

Notary Seal

BOARD OF REGISTRATION FOR THE HEALING ARTS
STATE OF MISSOURI


IN THE MATTER OF:)
)
AUBREY WILLIAMS, D.O.)
License No. 09728)

ORDER

The Missouri State Board of Registration for the Healing Arts (hereinafter "Board"), after a hearing held on September 12, 1987 in Osage Beach, Missouri, to which you were duly summoned, appeared and gave sworn testimony, finds the following: that your 1984 probation agreement with the State Board of Registration for the Healing Arts, as amended in 1985, allowed you to handle or prescribe schedule IV and V controlled substances only; that you admitted to the Board that you knew you were to handle or prescribe only schedule IV and V controlled substances under the terms of your probation agreement; that you further admitted that you wrote several prescriptions in 1986 for Dilaudid which is a schedule II controlled substance; and, that you admitted you knew you were not to prescribe or handle a Schedule II controlled substance.

After considering all the evidence available to it, the Board has concluded that you have violated your 1984 probation agreement with the Board, as amended by letter in December of 1985.

IT IS THEREBY ORDERED that your probation agreement is
revoked and that your probationary license to practice the
healing arts be and is hereby revoked on this 16th day of
September, 1987.



Frank I. Clark, M.D., President
Board of Registration for the
Healing Arts
State of Missouri